

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

EXECUTIVE ORDER 2011-08
Executive Order Establishing Governor's "Arizona Ready" Education Council
(Amending and Superseding Executive Order 2009-10)

[M11-433]

WHEREAS, Arizona is a national leader in bold education reforms that drive the creation of world-class schools; and

WHEREAS, achieving a strong economy for Arizona's second century will require Arizona students reach high levels of academic achievement; and

WHEREAS, Arizona's past P-20 Coordinating Councils have served Arizona by developing the goals and strategies in Arizona's Education Reform Plan, now called "Arizona Ready;" and

WHEREAS, we have established aggressive goals to increase Arizona high school graduation and post-secondary degree completion rates in order to prepare students to be college and career ready; and

WHEREAS, Arizona's community colleges and universities serve as a gateway for individual economic success as well as state-wide economic competitiveness; and

WHEREAS, "Arizona Ready" includes a community engagement effort around Arizona's new education goals and strategies, which requires a new focus on proven performance management techniques;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by the authority vested in me by the Constitution and the laws of this State, do hereby establish the Governor's "Arizona Ready" Education Council and order as follows:

1. Membership shall include but not be limited to the following members, appointed by the Governor:
 - The Superintendent of Public Instruction
 - The President of the State Board of Education
 - The President of the Arizona State Board for Charter Schools
 - The President of the Arizona Board of Regents
 - The Chairperson of the Arizona Community College Presidents' Council
 - The President of the Arizona Commerce Authority
 - A County School Superintendent
 - A Chairperson of a statewide business organization
 - A representative from a Joint Technical Education District
 - A representative from a parents' organization
 - A representative of a community organization
 - A representative from an education service related foundation or philanthropic organization
 - A current or former teacher
 - A current or former principal or superintendent
 - Two "at large" business leaders
 - A business leader from rural or southern Arizona
2. The members serve at the pleasure of the Governor.
3. The Chairpersons of the following committees, or their successor committees, shall serve as ex-officio, advisory, non-voting members: The Education Committee of the House of Representatives; the Education Committee of the Senate; and the Higher Education, Innovation and Reform Committee of the House of Representatives.

4. The Governor shall designate a Chair and a Co-Chair of the "Arizona Ready" Education Council.
5. The "Arizona Ready" Education Council will be dedicated to driving results statewide and increasing transparency while respecting local control.
6. The "Arizona Ready" Education Council shall meet as needed, but no less than semi-annually to measure and track progress of established performance goals and outcome expectations for preschools, K-12 schools, community colleges and universities and shall provide a statewide forum for coordination and articulation of state-wide educational goals developed in the Arizona Education Reform Plan.
7. The "Arizona Ready" Education Council shall be ambassadors to the public regarding "Arizona Ready" goals, strategies and action steps, and encourage participation in "Arizona Ready" communications and activities.
8. The "Arizona Ready" Education Council shall use an on-line education "report card" to review the performance of Arizona's schools and to coordinate efforts to improve student achievement, with emphasis on streamlining points of transition between each level in the education pipeline.
9. The "Arizona Ready" Education Council shall provide recommendations to the Governor, the Governor's Office of Education Innovation, and education policy-making boards on specific education reforms or activities needed to ensure that Arizona reaches its education goals.
10. The "Arizona Ready" Education Council shall focus on five key strategies from Arizona's Education Reform Plan. These include:
 - The implementation of Arizona's new state education standards, adopted by the State Board of Education in 2010;
 - The training and recruitment of teachers to implement Arizona's new state education standards;
 - The implementation of internationally benchmarked assessments, replacing the current version of Arizona's Instrument to Measure Standards ("AIMS");
 - Ensuring a high school diploma represents the ability to enter higher education without remediation; and
 - Increase post secondary graduation rates, particularly in subject areas of highest need for the state.
11. The "Arizona Ready" Education Council shall develop any additional measures to ensure the transparency of performance goals to all stakeholders and design or assist with strategic outreach plans to key stakeholders as needed.
12. The "Arizona Ready" Education Council shall be staffed by the Governor's Office of Education Innovation.
13. Members may not send designees to represent them at the Council meetings. Members who miss more than three (3) consecutive Council meetings are subject to replacement at the sole discretion of the Governor.
14. The Chairperson may form an executive committee or other committees, sub-committees or task-forces as necessary.
15. The status of the "Arizona Ready" Education Council shall be reviewed no later than December 31, 2014 to determine appropriate action for its continuance, modification or termination.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on the 2nd day of December in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

TERMINATION OF EMERGENCY
*** Coconino County Twister ~ PCA 11004 ***

[M11-430]

WHEREAS, on October 6, 2010 a series of tornados impacted the communities of Bellemont, Parks and Fort Valley as well

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as nearby rural areas within Coconino County; and

WHEREAS, the most significant public infrastructure impacts were utilities that had been rendered inoperable and roads blocked by debris, airport infrastructure in the City of Page and a damaged National Guard facility; and

WHEREAS, a state of emergency was declared on October 8, 2010 to address public health and safety concerns of the citizens, as well as the repair of damaged infrastructure; and

WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of emergency;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby terminate the declaration of the State of Emergency of October 8, 2010. All unexpended funds allocated to the emergency shall revert to the General Fund.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this 21st day of November in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

TERMINATION OF EMERGENCY
*** Hopi Tribe Flooding ~ PCA 11002 ***

[M11-431]

WHEREAS, on July 26, 2010, a severe rainstorm over a widespread area of the Hopi Tribe produced approximately 3 inches of heavy rainfall; and

WHEREAS, the most significant public infrastructure impacts were damages sustained to roads and drainage channels, as well as water and sewer lines; and

WHEREAS, a state of emergency was declared on July 30, 2010 to address public health and safety concerns of the citizens and the response efforts of Navajo County on behalf of the Tribe; and

WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of emergency;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby terminate the declaration of the State of Emergency of July 30, 2010. All unexpended funds allocated to the emergency shall revert to the General Fund.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this 21st day of November in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

TERMINATION OF EMERGENCY

*** Sedona Flash Flooding ~ PCA 20101 ***

[M11-432]

WHEREAS, on September 10, 2009, an isolated severe storm over the central portion of the City of Sedona produced approximately 2.5 inches of heavy rainfall within a 45 minute period; and

WHEREAS, the most significant public infrastructure impacts were removal of debris deposited by the event as well as damages sustained to roads and drainage channels; and

WHEREAS, a state of emergency was declared on September 17, 2009 to address public health and safety concerns of the citizens, as well as the repair of damaged infrastructure; and

WHEREAS, the Governor's Emergency Funds were expended pursuant to A.R.S. § 35-192; and

WHEREAS, pursuant to A.R.S. § 26-303(F), the Governor is authorized to proclaim the termination of emergency;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby terminate the declaration of the State of Emergency of September 17, 2009. All unexpended funds allocated to the emergency shall revert to the General Fund.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this 21st day of November in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** NURSE ANESTHETIST WEEK ***

[M11-429]

WHEREAS, Nurse Anesthetists were the first professional group to provide anesthesia in the United States and are the oldest recognized group of advanced practice and registered nurse specialists; and

WHEREAS, these registered nurses have completed a graduate-level educational program in a nationally accredited program of nurse anesthesia, and after graduation are qualified to take the national certifying examination; and

WHEREAS, graduates who successfully pass examination can use the title Certified Registered Nurse Anesthetist (CRNA), and in addition, all graduates of nurse anesthesia educational programs receive a master's degree upon completion of the rigorous academic and clinical curriculum; and

WHEREAS, CRNAs provide anesthesia services in all settings in which anesthesia is delivered, and are not required by state or federal law to be supervised or directed by physician anesthesiologists; and

WHEREAS, according to the American Association of Nurse Anesthetists, more than two-thirds of all rural hospitals rely on CRNAs to provide anesthesia care, and without these advanced practice nurses, approximately 1,500 facilities would be unable to maintain trauma stabilization, surgical, and obstetrical capabilities, forcing many rural Americans to travel long distances for such services; and

WHEREAS, each year, CRNAs working in hospitals, ambulatory surgical centers, physician's offices, and the medical facilities of the U.S. Military, Veteran's Administration, and Public Health Services are the hands-on providers of approximately 32 million anesthetics given to patients in the United States.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim January 22-28, 2012 as

*** NURSE ANESTHETIST WEEK ***

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and urge all Arizona citizens to recognize the importance of Certified Registered Nurse Anesthetists and their role in providing quality patient healthcare.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-eighth day of November in the year Two Thousand and Eleven, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.

[M11-234]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

WHEREAS, other states have since implemented regulatory reviews and moratoriums; and

WHEREAS, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

WHEREAS, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2011; and

WHEREAS, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certi-

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- fied by the Governor's Office of Strategic Planning and Budgeting.
- g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
- 3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
 - 4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
 - 5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
 - 6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
 - 7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
 - 8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State